

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION**

Stephen Anders,)	
)	
Plaintiff,)	Civil Action No. 8:23-cv-673-TMC
)	
vs.)	
)	
Mark Zuckerberg, Meta Quest,)	ORDER
Facebook, Shelisha Anders,)	
)	
_____ Defendants. _____)	

Plaintiff Stephen Anders (“Anders”), a prisoner proceeding *pro se* and *in forma pauperis*, brought this action against Defendants pursuant to 42 U.S.C. § 1983. (ECF No. 1). In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d), (e) (D.S.C.), this matter was referred to a magistrate judge for pretrial handling. Now before the court is the magistrate judge's Report and Recommendation (“Report”), recommending that the court dismiss this action without issuance and service of process. (ECF No. 10). The Report was mailed to Plaintiff at the address he provided the court, (ECF No. 12), and has not been returned as undeliverable. Therefore, Plaintiff is presumed to have received the Report. Plaintiff was advised of his right to file specific objections to the Report, (ECF No. 10), and filed a response to the Report and Recommendation stating that he had no objections. (ECF No. 13)¹. Accordingly, this matter is ripe for review.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Wimmer v. Cook*, 774 F.2d 68, 72 (4th Cir. 1985) (quoting *Mathews v. Weber*, 423 U.S. 261, 270–71 (1976)). In the absence of objections, this court

¹ In his response to the Report, Plaintiff requested the return of the exhibits attached to the complaint. (ECF No. 13). As a matter of policy, the Court does not return originals of documents attached to pleadings, as such documents are a part of the court record. Therefore, this request is denied. Copies of filed documents are available at a cost of \$0.50 per page.

is not required to provide an explanation for adopting the Report. *Greenspan v. Brothers Prop. Corp.*, 103 F. Supp. 3d 734, 737 (D.S.C. 2015) (citing *Camby v. Davis*, 718 F.2d 198, 199–200 (4th Cir. 1983)). Rather, “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 Advisory Committee's note).

Thus, having reviewed the Report and finding no clear error, the court agrees with, and wholly adopts, the magistrate judge’s findings and recommendations in the Report (ECF No. 10), which is incorporated herein by reference. Accordingly, Plaintiff’s action is **DISMISSED without issuance and service of process.**

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

March 8, 2023
Anderson, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.